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EXAMINER

ANDERSON, JOHN A

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/696,625	Applicant(s) OSHIMA ET AL.	
	Examiner JOHN A. ANDERSON	Art Unit 3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10, 12-19 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-10, 12-19 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/31/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In the amendment filed January 7, 2008 the following has occurred: Applicant has amended claims 2, 8-10, 12, 18 and 19. Claims 1, 11 and 20 have been cancelled. Claim 21 has been added. Claims 2-10, 12-19 and 21 are pending in this application.

The obviousness rejections set forth on the basis of Lee et al, O'Hagan et al, Mc Mahon et al and Mc Connell et al stands as originally stated.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 2-4, 6, 9-10, 12-13, and 19 and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al (US PG PUB –20040117383) in view of O’Hagan et al (US PGPUB 20020145038).**

4. **As regards Claim 2:**

An electronic quotation system that makes a quote:

- **Lee et al discloses** The Procurement module 290 would allow vendor selection and management, request for quote (RFQ) processing, [0118].

Product information storage module that stores and updates appropriately;

- **Lee et al discloses** the HTTP server 52 (at step 814) requests the database interface 70 as shown in FIG. 27 to update one or more of following fields: the product id information 152, location 154, quantity 156, order information 158, invoice information 160, low-level indicator 162, [0108].

Product quote preparation module that prepares a quote;

- **Lee et al discloses** the quotation and ordering processes would be administered automatically should the customer accept the RFQ.[0130 second to last sentence]

Transmission module that sends a window includes quote, an order option:

- **Lee et al discloses** the database interface 70 will then build one or more linked HTML web pages based on a display template 72 which will list a menu of information available to the CSR such as customer information, purchase history,

customer service history, warranty and extended service agreement information, return information, part request information, credit card information, etc.[0071].

- *An update option selection, to update the product quote after expiration date Lee et al discloses the updated product record 66a, b, . . . n will be eventually redisplayed in one or more linked display pages at step 802 after a several other logic inquiries [0108].*

An update quote preparation module that receives request, after expiration,

- **Lee et al discloses** To account for each transaction, the Procurement module 290 can update the location 154, quantity 156, and invoice information 160 fields of the database record 66a, b, . . . or n. [0137]

An update quote transmission module sends update window with new quote:

- **Lee et al discloses** In addition, vendors 1080 login into the database 1010 of the Procurement module 290 to access and update inventories and product records [0121].

Lee does not disclose order option is enabled as selectable in a valid period and the order is disabled as unselectable when valid period of the product has expired.

- **O'Hagan et al discloses** [0136], the product list 970 includes information relating to every product available in the store. The information typically includes product description, UPC code for the product, product price, termination period

for price quote, etc. O'Hagan et al also discloses [0170] Thus, the price quote remains in effect for the period of time noted to the customer.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of O'Hagan et al in the device of Lee et al. The motivation would be to provide electronic current applicable pricing information to the customer during the specified period.

5. **As regards Claim 3,**

A delivery date specification module that specifies a delivery date:

- **Lee et al discloses** [0047] *Shipping Information 128: Comprises one or more sub-fields recording the shipping information selected by the customer after the purchase of a product including the tracking information on the delivery of the product to the customer including method of shipment, carrier, date of shipment and estimated time of arrival ("ETA").*

Lee does not disclose specifically an update quote of the specified product.

- **O'Hagan et al discloses** Field 980d includes data relating to the price the product will be sold for and remains valid until field 980f includes data relating to how long the price quote for the product will remain in effect [0141].

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of O'Hagan et al in the device of Lee et al. The motivation would be to collect data, which could be used for consumer trend and behavior analysis. [0141]

6. **As regards Claim 4,**

A stock check module that reads a current status of a stock:

- **Lee et al discloses** at step 827, inventory is checked for quantity of the ordered or requested product. [0112 line 8]

A substitute product retrieval module that retrieves multiple substitute products;

- **Lee et al discloses** the product manager can select for compatible models and substitutes via the "Compatible Model" and "Substitute" Tabs by selecting compatible/substitution models and clicking the "Add" button. [0106]

Update quote preparation module determines that there is no stock of the specified product, creates a list of substitute products, retrieves and sends the window that includes quotes for substitute products.

- **Lee et al discloses** at step 827, inventory is checked for quantity of the ordered or requested product. If the product is not in inventory at step 829, inventory is checked for substitute products at step 831 and the process returns to step 827. At this stage the warehouse agent can notify the CSR and/or the customer for approval in procuring the substitute product. Inventory status and warehouse records concerning the desired product and possible substitutions are accessed from the database 60 using the database interface 70[0112].
- Lee does not disclose **specifically an update quote of the specified product.**

- **O'Hagan discloses** [0165 last sentence] the product list 970 will contain such data as UPC code, product description, price, duration of price, possibly generic icon data, etc.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of O Hagan in the device of Lee et al. The motivation would be to provide customers the available choices when the desired product is not available.

7. **As regards Claim 6,**

A stock check module reads current status of stock;

- **Lee et al disclose** inventory status and warehouse records concerning the desired product and possible substitutions are accessed from the database 60 [0112].

A substitute product retrieval module retrieves substitute products;

- **Lee et al discloses** if the product is not in inventory at step 829, inventory is checked for substitute products at step 831 and the process returns to step 827 [0112].

Prepares substitute product quote;

- **Lee et al discloses** the Procurement module 290 would allow vendor selection and management, request for quote (RFQ) processing, online request (OLR) processing [0118].

Sends the window that includes the substitute quote instead the product quote;

- **Lee et al discloses** in addition, customer and/or user 1060 can process multiple and multifunctional OLR's (see FIG. 34 for example) and ordering while utilizing the Procurement module 290 with detailed inventories being displayed to the user 1060 and/or customer [0130, last sentence].

Lee does not disclose specifically an update of the specified products;

- **O'Hagan discloses** [0165 last sentence] the product list 970 will contain such data as UPC code, product description, price, duration of price, possibly generic icon data, etc.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of O Hagan in the device of Lee et al. The motivation would be to provide customers the available choices when the desired product is not available.

8. **As regards Claim 9,**

Module sends a specific program and a window causing a computer at the sender to execute a function of enabling the order selection when in valid period;

- **Lee et al discloses** At step 909, the server 52 locates desired product listings extracted from the database 60. Information to be reviewed by the user can also

include product specifications (step 911) as well as suggested, recommended and associated items to the located product (step 913). [0115]

Lee does not disclose disabling the order as unselectable when period expired.

- **O'Hagan discloses** [0127] In step 828 the system checks to see if the time out period for connecting to the link has expired. If no, the system proceeds to step 830. If yes, the system advances to step 832.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of O'Hagan in the device of Lee et al. The motivation would be to provide promotional information relating to the product i.e., expiration date.

9. **As regards Claim 10,**

Valid period judgment module that performs judgment of the valid period of the product;

- Lee et al discloses [086 line 7-10] such as the effective date for honoring reasons, warranty type or service plan, term and price.

Lee does not disclose Transmission of quote sends the window including an enabled state when quote is valid

- **O'Hagan discloses** [0127] after the default web page has been obtained; the system in step 824 determines if the current web page has been requested to

call a link. If yes, the system in step 826 tries to obtain the requested link. In step 828 the system checks to see if the time out period for connecting to the link has expired. If no, the system proceeds to step 830. If yes, the system advances to step 832.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of O'Hagan in the device of Lee et al. The motivation would be to provide general information relating to the product and distributor.

10. **As regards Claim 12,**

Causing the computer to prepare a product quote makes a quote;

- **Lee et al discloses** The quotation and ordering processes would be administered automatically should the customer accept the RFQ.[0130]

module stores information, updates appropriately ;

- **Lee et al discloses** [0108] In response, the HTTP server 52 (at step 814) requests the database interface 70 as shown in FIG. 27 to update one or more of following fields: the product id information 152, location 154, quantity 156, order information 158, invoice information 160, low-level indicator 162,

Lee does not disclose an update option selection element selected by the client to update the specification of the product quote after expiration of the valid period.

- **O'Hagan discloses** after the default web page has been obtained, the system in step 824 determines if the current web page has been requested to call a link. If yes, the system in step 826 tries to obtain the requested link. In step 828 the system checks to see if the time out period for connecting to the link has expired. If no, the system proceeds to step 830. If yes, the system advances to step 832.[0127]

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of O'Hagan in the device of Lee et al. The motivation would be to enable the user to determine when a specified product is not available at the stated price, terms and conditions.

11. **As regards Claim 13**, since claim 13 does not further limit claim 12, the rejection of claim 12 also applies to claim 13.
12. **As regards Claim 19**, since claim 19 does not further limit claim 9, the rejection of claim 9 also applies to claim 19.
13. **AS regards claim 21**,

- An electronic quotation method performed by a computer to make a quote of a product, the method displaying on a display unit either an order window that includes a product quote to which a valid period is set and an order option selection element selected by a client to order a specification of the product quote or a quote window that includes the product quote and an update option selection element selected by the client to update the specification of the product quote after expiration of the valid period, Lee discloses *[130, The quotation and ordering processes would be administered automatically should the customer accept the RFQ. In addition, customer and/or user 1060 can process multiple and multifunctional OLR's (see FIG. 34 for example) and ordering while utilizing the Procurement module 290 with detailed inventories being displayed to the user 1060 and/or customer.]*
- said method displaying the order window including the order option selection element enabled as selectable when the product quote is in the valid period and displaying the quote window including the update option selection element enabled as selectable when the valid period of the product quote has expired. Lee discloses *[118, The Procurement module 290 would allow vendor selection and management, request for quote (RFQ) processing, online request (OLR) processing, automated order processing, and return merchandise management.]*

14. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al (US PG PUB –20040117383)** in view of **O’Hagan et al (US PGPUB 20020145038)** as applied to claim 4 above, and further in view of **McConnell (US Patent No. 7240027)**.

As regards Claim 5,

Quotation request includes specification of one component:

- **Lee et al discloses** the generated display pages can include information from such fields as Product Information 152, [0103].
Stock check module reads a current status with respect to at least one component:
- **Lee et al discloses** As seen in FIG. 26, this search will bring up the product information GUI (“Graphical User Interface”) that is designed to display all detailed specs pertaining to this product [0102].
When stock check module determines that there is no stock of specified component of the specified product ;
- **Lee et al discloses** If the product desired is not within any inventories from any vendors, the Procurement module 290 can administer an RFQ, to which the customer can accept or decline. [0130]

Lee does not disclose a list of substitute components.

- **McConnell et al discloses** all items in the same sub-category are substitutes.

Switching to substitutes of the same brand is tabulated separately from switching to other brands [152].

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of McConnell et al in the device of Lee et al. The motivation would be to inform the customers the cost of the substitute products and or components.

15. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al US PG PUB 20040117383** in view of **O'Hagan et al (US PG PUB 20020145038)** as applied to claim 2 above, and further in view of **Mc Mahon (US PG PUB- 2001,0034726)**.

16. **As regards Claim 8**

Quotation request includes at least one component of the specified product;

- **Lee et al discloses** [0060] Invoice Information 160: Comprises one or more sub-fields indicating the price, shipping fee, coupon information, etc. associated with the products.

Lee does not disclose specifically components of the specified product.

- **McMahon discloses** [0041] In this embodiment, the user may be allowed to select a generic specification for the leased equipment, select different upfit options for various components of the leased equipment.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of Mc Mahon in the device of Lee et al. The motivation would be allow a salesperson to quickly, easily and accurately to fill a purchase order.

17. **Claims 14-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al US PG PUB 20040117383** in view of **O'Hagan et al (US PG PUB 20020145038)** as applied to claim 12 above, and further in view of **Mc Mahon (US PG PUB- 2001,0034726)**.

18. **As regards Claim 14,**

Retrieves substitute products when out of stock;

- **Lee et al discloses** [0117, alternatively, the customer and/or user can access the Procurement module 290, which may be operated and managed by a third party, to obtain products that are not warehoused or available through the Inventory Module 270.]

Create list of substitute stock;

- **Lee et al discloses** The Procurement module 290 would then generate a list of relevant parts resulting from the search.[0130]

Sends window including list of substitutes;

- **Lee et al discloses** A hyperlink may exist with each part listed that links to details regarding the part or parts. [130]

Lee does not disclose sends a window including the list of the one or multiple substitute products;

- **McMahon discloses** in one embodiment, through the use of manufacturer hyperlinks, a salesperson or customer may be able to check on an order status or determine if certain components for leased equipment are out of stock with a given manufacturer.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of McMahon in the device of Lee et al in further view of O'Hagan. The motivation would be to confirm availability of specified product.

19. **As regards Claim 15,**

Quotation request includes specs of one component of specified product and reads current status of stock with specified component of specified product;

- **Lee et al discloses** as a result of the immediate real-time ability to update customer, service, and product records in the database 60, parts can be ordered via the Inventory Management module 270 or the Procurement module 290.[0094]

Lee does not disclose specifically components of the specified products.

- **Mc Mahon discloses** in this embodiment, the user may be allowed to select a generic specification for the leased equipment, select different upfit options for various components of the leased equipment, and then be presented with a subtotal cost for the component of the equipment and/or a total cost for the equipment.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of McMahon in the device of Lee et al. The motivation would be allow a salesperson to quickly, easily and accurately to fill a purchase order.

20. **As regards Claim 16,**

Update quote , reads current status of stock of specified product;

- **Lee et al discloses** as a result, customer service and sales representatives, among others, have real-time access to available inventory and product descriptions.

Lee does not disclose sends the window including the substitute product quote.

- **McMahon discloses** [0010] A method of doing business for generating quotes for leased equipment, the method comprising electronically storing an at least one specification for a piece of equipment on a server, allowing access to the stored specifications by a user, electronically soliciting from the user a selection of one specification stored on the server, displaying to the user one or more options relating to the selected specification, receiving from the user one or more selected options, updating the one or more options relating after each of the one or more options is selected by the user, and displaying to the user a price quote for the selected specification and the selected options.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of McMahon in the device of Lee et al in view of O'Hagan. The motivation would be to inform the user of the price for the substitute products.

21. **As regards Claim 17,**

Product quote reads a current status of a stock with respect to at least one component;

- **Lee et al discloses** upon selection, a purchase order (PO) 1004 is generated and submitted to the vendor 1080 via the network portal 1040 and communication facilities 1120 (not shown). Upon receiving the PO 1004, the vendor 1080 ships the product and creates a paper or electronic invoice 1005 reflecting the purchased part or product[125].

Lee does not disclose one specified component of the specified product;

- **McMahon discloses** [0010] A method of doing business for generating quotes for leased equipment, the method comprising electronically storing an at least one specification for a piece of equipment on a server, allowing access to the stored specifications by a user, electronically soliciting from the user a selection of one specification stored on the server, displaying to the user one or more options relating to the selected specification, receiving from the user one or more selected options, updating the one or more options relating after each of the one or more options is selected by the user, and displaying to the user a price quote for the selected specification and the selected options.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of McMahon in the device of Lee et al in view of O'Hagan. The motivation would be to provide the user with multiple options to choose from.

22. **Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al US PG PUB 20040117383** in view of **O'Hagan et al (US PG PUB 20020145038)** as applied to claim 12 above, and further in view of **Mc Mahon (US PG PUB- 2001,0034726)**.

23. **As regards Claim 18,**

Quote includes one component of specified product;

Lee et al discloses an order 1011 is placed for the part or product selected by the user.[0127]Lee does not disclose **substitute product quote based on substitute components.**

- McMahon discloses [0010] A method of doing business for generating quotes for leased equipment, the method comprising electronically storing an at least one specification for a piece of equipment on a server, allowing access to the stored specifications by a user, electronically soliciting from the user a selection of one specification stored on the server, displaying to the user one or more options relating to the selected specification, receiving from the user one or more selected options, updating the one or more options relating after each of the one or more options is selected by the user, and displaying to the user a price quote for the selected specification and the selected options.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the teachings of Mahon in the device of Lee et

al in view of O'Hagan. The motivation would be to provide the user with multiple options to choose from.

24. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al US PG PUB 20040117383** in view of **O'Hagan et al (US PGPUB 20020145038)** as applied to claim 6 above, and further in view of **Mc Mahon (US PGPUB 2001,0034726) in further view of Mc Connell (US 7240027 B2).**
25. **As regards Claim 7**, the rejection of claim 5 also applies to claim 7.

Response to Arguments

Applicant's arguments with regards claims 2 and 12 have been considered.

Applicant asserts that neither Lee nor O'Hagan disclosed or suggested "the user being able to request an update quote after the limited time has elapsed, while not being able to place an order at the quoted prices after the limited time has elapsed". Lee disclosed [0074, In response, the HTTP server 52 requests the database interface 70 to update the purchase information 114 and the customer modification history 118 fields, and the updated customer record 62a, b, . . . n will be redisplayed in one or more linked display pages at step 512,] the capacity to update purchase information. Lee further discloses [0113, the purpose in updating product, inventory and order status at each step is to provide CSR's,

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inventory management personnel, and customers real-time information concerning the order lifecycle,]the immediate availability of customer information. Lee makes it very clear that updated quotes are available to customers in real time. This obviates the circumstance of not being able to place an order at any price quote.

Applicant's argument for claim 12 is appended to the argument for claim 2. Claim 12 is therefore rejected on the same basis of claim 2 and that is, Lee and O'Hagan discloses the user being able to request an update quote after the limited time has elapsed, while not being able to place an order at the quoted price after the limited time has elapsed.

Dependent claims remain rejected on the basis of the references cited for the independent claims.

The new claim 21 is rejected based on the reference of Lee et al.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN A. ANDERSON whose telephone number is (571)270-3327. The examiner can normally be reached on Monday through Friday 8:00 to 5:00 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number

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for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John A Anderson/

Examiner, Art Unit 3696

John A Anderson

Examiner

Art Unit 3696

/J. A. A./

Examiner, Art Unit 3696 3/12/2008

/Daniel S Felten/

Primary Examiner, Art Unit 3696